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SUBJECT: Honduras: Supporting Human Rights and Democracy:
The U.S. Record 2004-5

REF: 04 STATE 267453

11. The following is Post's submission for the "Supporting Human Rights and Democracy: The U.S. Record 2004-5" for Honduras.

12. Begin Text

Honduras' constitutional government is headed by President Ricardo Maduro, elected in November 2001 in elections that domestic and international observers judged to be free and fair. Since its inauguration in 2002, the Government generally respected the human rights of its citizens; however, there are serious problems in some areas. Members of the police were accused of committing extrajudicial killings. Organized private and vigilante security forces were believed to have committed a number of arbitrary and summary executions. Human rights groups accused former security force officials and the business community of colluding to organize "death squads" to commit extrajudicial, summary, and arbitrary executions, particularly of youth. Prison conditions remained harsh, and detainees often did not receive due process. The administration of justice was problematic due to inefficient, understaffed, and underfunded police, Public Ministry (prosecutors), and judiciary, all of which were subject to corruption and political influence. There was considerable impunity for members of the economic, military, and official elite. Other human rights problems included violence and discrimination against women and discrimination against indigenous people. The Government did not effectively enforce all labor laws and child labor remained a serious problem. Honduras is a source and transit country for trafficking in persons, including commercial sexual exploitation.

U.S. officials highlight publicly the need for improvements in human rights conditions, particularly the rule of law and administration of justice. The Mission uses speaker programs to bolster this effort. The Ambassador and other officers of the U.S. Mission also work privately with Honduran government officials, NGOs, labor unions, and other organizations to discuss areas of particular concern and to encourage reforms. The Secretary of State discussed human rights and democracy issues October 21, 2004, during meetings with senior Honduran government officials in Washington. The Assistant Secretary of State for Western Hemisphere Affairs on September 16 in Washington and the Deputy Assistant Secretary of State for Western Hemisphere Affairs during his September 8-10 visit to Honduras also discussed these issues.

The Embassy, using INL counternarcotics assistance, spent \$100,000 in 2003-2004 for "Si Se Puede", a government program coordinated by the Vice President's office that seeks to prevent drug use and gang membership among vulnerable sectors, such as youth at risk. Many of these youth are at risk of being victims of violence, including extrajudicial killings, if they join gangs. In order to allow wide participation, the projects are carried out with the assistance of NGOs, police, community leaders, and teachers.

The Embassy focused most of its human rights and democracy promotion effort on the rule of law and administration of justice. To foster more professional police and reduce human rights abuses, the Embassy is spending \$200,000 in 2003-2005 in INL Police Assistance Funds to assist the Police Internal Affairs Office with investigating complaints, including those from private citizens, and make recommendations for substantiated complaints, ranging from administrative disciplinary action to criminal charges.

USAID is spending \$1,400,000 in Fiscal Year 2005 funds on administration of justice measures. Significant USAID assistance over the last several years has been spent in the development and implementation of a new Criminal Procedure Code, which introduced oral, adversarial trials, more effective and transparent procedures, and greater protections for individual rights. USAID funded the training and distribution of materials for judges, prosecutors, public defenders, and forensics experts. The USAID-designated pilot

courts in Tegucigalpa and San Pedro Sula concluded an impressive total of 948 trials and another 4,219 cases were closed through non-trial procedures during the year. The Supreme Court-run and USAID-funded "purging unit" is clearing backlogged cases from prior to the implementation of the new code. By the end of the year, 73 percent of 140,000 pending cases under the previous procedure had been dismissed or resolved. The Honduran Federation of NGOs (FOPRIDEH), with USAID assistance, has been dynamic in promoting broader and more effective civil society participation in justice sector reforms and monitoring, and in exercising oversight of the public policy process. In compliance with the Leahy amendment, the U.S. Military Group worked closely with the Ministry of Defense to vet military units for U.S. training.

To improve the country's fight against corruption, the mission is investing \$465,000 of USAID money in Fiscal Year 2005 on Transparency and Anti-Corruption efforts. Activities under these programs include: improving the capacity of the Government's Superior Audit Institution, developing and implementing a Transparency and Anti-Corruption Public Awareness Campaign, strengthening independent national and local anti-corruption institutions, and supporting civil society social auditing efforts to provide oversight and monitoring of the use of public funds. The mission has encouraged the government and the Attorney General's office to vigorously pursue cases that involve corruption, particularly cases involving government officials. The Embassy also brought in a U.S. consultant expert as a speaker on anti-corruption in October 2004.

The Department of Treasury, using State/INL funding, is executing a \$227,000 project from 2003-2005 to assist the government in addressing financial crimes and money laundering in the country. The project includes technical assistance in the operation of the Financial Information Unit, technical assistance to the investigative and prosecutorial agencies that have responsibility for the cases of money laundering and financial crimes, and training of judges, bank officials, and other entities involved in the fight against financial crimes.

With national and municipal primary elections set for February 20, and general elections set for November 27, USAID dedicated significant resources for assisting the Honduran government's ability to conduct the elections and increasing the voting public's awareness of recent significant electoral reforms. USAID is providing the following assistance in 2004-2005 for the elections: \$1 million of local currency funds to support the Supreme Electoral Tribunal (TSE) and the National Registry of Persons, \$216,000 from local currency funds for a Cooperative Agreement with the Inter-American Institute of Human Rights' Center for Electoral Assessment and Promotion (CAPEL) to provide advisory assistance, \$130,000 from the Bureau for Latin America and the Caribbean to FOPRIDEH to support its nonpartisan voter education campaign, and \$65,000 from the Bureau of Democracy, Conflict, and Humanitarian Assistance (DCHA) under DCHA's contract with the International Foundation for Election Systems (IFES) for an elections expert to advise the TSE. In addition, the State Department is providing \$150,000 in Economic Support Funds in 2005 to further assist FOPRIDEH's voter education. The State Department also contributed \$75,000 for the Organization of American States election observation mission for the primaries.

U.S. government efforts in promoting democracy through the development of transparent and accountable democratic institutions continued to be quite strong. USAID is spending \$2,500,000 in Fiscal Year 2005 funds on municipal development to increase the capacity for basic service delivery by municipalities and promote decentralization, including technical assistance to the Honduran Association of Municipalities (AMHON). USAID supported its partner, the Foundation for Municipal Development (FUNDEMUN), in the capacity building of 46 municipal governments. In many cases, these projects demonstrated a positive correlation between the transparency and accountability with which municipal governments are being administered and the growing confidence that citizens have for the work being performed by their local governments, and thereby faith in their democratic governance.

U.S. officials repeatedly engaged government, private sector, and labor union officials on the importance of enforcing labor law and ensuring that core labor rights are protected, which has been particularly important given the U.S.-Central America Free Trade Agreement (CAFTA) which is awaiting ratification,. The U.S. Department of Labor (DOL) funded the following projects: Strengthening Labor Systems in Central America (Cumple y Gana) from 2003-2007 for \$8,750,000; Freedom of Association, Collective Bargaining and Industrial Relations in Central America Project (RELACENTRO) from January 2001 - August 2004 for \$1,888,000; and a Regional Occupational Safety and Health Project (CERSSO) from August

2000 - July 2004 for \$7,057,538. USAID's \$3,000,000 PROALCA II regional Labor Component from 2002-2006 supports efforts to improve the functioning of regional labor markets while strengthening the protection of core labor standards, through assistance to the Secretariat for Central American Economic Integration (SIECA) and alliances with international private businesses and NGOs, including the Continuous Improvement in the Central America Workplace project.

Child labor is a significant problem in Honduras. From 1995 to 2004, DOL grants provided more than \$46 million in Central America and the Dominican Republic to the International Labor Organization's International Program for the Eradication of Child Labor (ILO/IPEC) and other organizations for projects aimed at combating and gathering information on the worst forms of child labor. Ongoing projects in melon production and the commercial sexual exploitation of children are implemented by ILO/IPEC. In addition, the Government of Honduras is participating in a \$5.5 million DOL-funded regional project implemented by CARE USA to combat child labor through education, which includes direct action in Honduras, from September 2004 - September 2008.

Honduras is a source and transit country for trafficking in persons (TIP) for sexual and labor exploitation. Most victims are young women and girls, who are trafficked to Guatemala, Belize, El Salvador, Mexico, the United States, and Canada. Women and children are also trafficked internally, most often from rural to urban settings. The Embassy brought in a U.S. NGO expert twice, as well as a State Department official, to be keynote speakers at seminars organized by the Honduran government on the prevention and eradication of the commercial sexual exploitation of children and trafficking in women and children in San Pedro Sula, Santa Rosa de Copan, Puerto Cortes, and Tela in 2004. The Embassy is spending \$320,000 in 2004-2006 in funds from the State Department's Office to Monitor and Combat Trafficking in Persons to provide training, technical assistance, equipment to police investigators and prosecutors on TIP, as well as public awareness campaigns on TIP. The Embassy is also spending \$350,000 in 2003-2005 in INL Police Assistance Funds to support the Frontier Police to, among other goals, prevent and interdict the transportation of illegal immigrants, including TIP. The State Department's Office to Monitor and Combat TIP spent \$29,400 to fund Department of Justice Office of Prosecutorial Development and Training (OPDAT) classes in 2004 for Honduran judges on TIP cases.

The mission is also sending various civil society leaders and government officials on international visitor programs in 2004-2005, on topics such as the administration of justice and the rule of law, anti-corruption, civil society and democracy, and journalism.

13. End Text.

14. Post will e-mail DRL/PHD the following: an addendum of USG-funded human rights and democracy programs of USD 100,000 or more, success stories, and photographs.

Palmer